

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:07-CR-00045-RJC

USA

v.

ANTHONY EUGENE BOYD

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ORDER

**THIS MATTER** is before the Court on the defendant's motions for a sentence reduction under the First Step Act of 2018, (Doc. Nos. 75, 81), and the government's response in support, (Doc. No. 82).

The defendant's request for relief, and the government's concession, is predicated on the holding by the United States Court of Appeals for the Fourth Circuit that a violation of 21 U.S.C. § 841(b)(1)(C) is a "covered offense" under the Act. (Doc. No. 81: Supplemental Motion at 3; Doc. No. 77: Response at 3; Doc. No. 82: Response at 3) (citing United States v. Woodson, 962 F.3d 812 (4th Cir. 2020)). However, the United States Supreme Court has granted certiorari in a case presenting the same issue. See Terry v. United States, 20-5904 (Jan. 8, 2021).

**IT IS, THEREFORE, ORDERED** that the defendant's motions are held in abeyance pending a decision by the Supreme Court in Terry.

Signed: May 24, 2021



Robert J. Conrad, Jr.  
United States District Judge

